

# Capitol Restoration Task Force

Senate Majority Caucus Room  
Statehouse, Boise, Idaho  
November 9, 2005

## **DRAFT MINUTES** **(Subject to Committee Approval)**

The meeting was called to order at 1:14 pm on November 9, 2005 by Co-chair Speaker Bruce Newcomb. Other committee members present were: Co-chair Pro Tem Robert Geddes, Senators Bart Davis, Joe Stegner, Brad Little, Mike Burkett, and Representatives Lawrence Denney, Mike Moyle, and Wendy Jaquet. Absent and excused was Representative Julie Ellsworth. Also in attendance were Ad Hoc committee members Pam Ahrens and Carl Bianchi, and Legislative Services staff members Eric Milstead, Budget Analyst; Jeff Youtz, Supervisor, and Lisa Kauffman, Staff Secretary.

Others present were Senator Hal Bunderson; Gary Christensen, Developer; Jack Lemley, Lemley and Associates, Inc.; Chuck Kluener of 3D/International; Jan Frew and Tim Mason, Department of Administration; Charles Hummel, Hummel Architects PLLC; General Jack Kane and Will Story, Capitol Commission; Steve Guerber, Historical Society; Maria Barratt, Division of Financial Management; and Sheila Ison, Legislative Services Office.

**Co-chair Newcomb** welcomed everyone and asked the committee to approve the minutes from the October 5, 2005, meeting. **Senator Davis** made a motion to accept the minutes and it was seconded by **Senator Stegner**. **Senator Davis** wanted clarification on page 3 of the minutes where **Pro Tem Geddes** asked that the vote be postponed. **Carl Bianchi** replied that the committee never formally voted on the motions and that there was a general agreement that the committee would follow the lead of **Pro Tem Geddes**. Motion to accept the minutes was unanimously approved by the committee.

**Eric Milstead** reviewed the three following options that were based on the motions from the last meeting as listed below:

- ❖ Option 1 is based on the Original Motion that was made by **Senator Stegner** and has since been modified. This option would restore the existing Capitol Building, add two levels of underground wings for Legislative hearing rooms and additional office space, and renovate, not expand, the Ada County Courthouse. This option does not include a tunnel to connect the underground wings with the Courthouse. The cost of this option is approximately \$127.5 million, and the estimated total gross square footage is 350,000. Estimated bond package would be 6 years at roughly \$24 million a year at 4% interest. The timeline for this option would be 6-8 months for the temporary Courthouse fix-up for the 'swing space' necessary to use for two Legislative sessions, and with the Capitol Building restoration and wings construction likely beginning after the FY 2007 session and taking approximately 30 months to complete. The permanent renovation of the Courthouse would occur after completion of the wings and Capitol restoration.

- ❖ Option 2 is based on the Substitute Motion that was made by **Speaker Newcomb**. This option would restore the existing Capitol Building, add single level underground wings for Legislative hearing rooms, and renovate, not expand, the Ada County Courthouse. This option includes an underground tunnel to connect the wings expansion with the Courthouse. The cost of this option is approximately \$108.6 million, and the estimated total gross square footage is 300,000. Estimated bond package would be 6 years at roughly \$20.5 million a year at 4% interest. The timeline for this option would be 6-8 months for the Courthouse fix-up for the 'swing space' necessary to use for two Legislative sessions, and with the Capitol Building restoration and wings construction likely beginning after the FY 2007 session and taking approximately 30 months to complete. The permanent renovation of the Courthouse would occur after completion of the wings and Capitol restoration.
- ❖ Option 3 is based on the Amended Substitute Motion that was made by **Representative Moyle**. This option would restore the existing Capitol Building, renovate and expand the Ada County Courthouse, and construct an underground tunnel that would connect the Capitol Building to the Courthouse. This option does not include the underground wings. The cost of this option is approximately \$110 million, and the estimated total gross square footage is 313,000. Estimated bond package would be 6 years at roughly \$21 million a year at 4% interest. The timeline for this option would be approximately 30 months. The construction on both the Capitol restoration and the Courthouse renovation/expansion could likely begin following the FY 2007 Session.

**Senator Little** asked if we would need to get the Courthouse up to code and inspected if we were to renovate it for temporary 'swing space.' **Jan Frew** replied that they would not have to bring the building up to code because they would not be changing the use of that building, which had previously been classified as an office building. You only have to bring buildings up to code if you are going to remodel more than 50% of it and change the usage.

**Senator Little** inquired if we would still be qualified to be 'grandfathered' in as to the existing use of the building since it has been vacant for a few years. **Jan Frew** replied that the use of the building would not change even though it has been vacant and so the same guidelines apply.

**Senator Stegner** indicated that if we renovate the Courthouse first and hold the two Legislative sessions in there while the Capitol is being renovated, we could save a substantial amount of money in terms of renting outside space that would be required. If the renovation took longer than two sessions then we would have the space available to us and would not have to look at extending leases with outside parties.

**Eric Milstead** took a tour of the Ada County Courthouse and passed out a floor plan to the committee. He stated that on the third floor there are two large hearing rooms that could be used as chambers for the two sessions. There are smaller rooms throughout the building that could serve as offices. Some of the existing courtrooms would need to have existing seating modified and the bars removed in order to utilize the space as hearing rooms. He emphasized that the courtrooms are small and many of them have structural beams in the center of them which would cause an obstructed view for the public, but they could serve as committee rooms since this would be temporary.

**Jeff Youtz** clarified for the committee that the Courthouse would be opened and used only for the sessions, that after the sessions were over the Courthouse would be closed and there would be no permanent staff housed there during the renovation of the Capitol.

**Pam Ahrens** commented that for the permanent legislative staff they would lease about 20,000-21,000 square feet of commercial space during the Capitol renovation to house those employees. The elected officials that currently reside in the Capitol would be moved to the Borah Building, a portion of the State Library building, and a portion of the Williams Building during the renovation. They may also need to lease an additional 5,000-6,000 square feet to accommodate the elected officials. **Ms. Ahrens** stated that by using buildings and space already owned by the state you will be saving the taxpayers a lot of money. Some of the spaces will need to be reconfigured to accommodate needs but that will be less expensive in the long run than leasing commercially.

**Senator Geddes** asked **Mr. Youtz** if we moved our legislative staff over to the Courthouse why wouldn't we just have them stay there after the session was over. **Mr. Youtz** replied that the Legislative Services staff would most likely not be housed in the Courthouse during the session, that it would be the attaches, committee secretaries, and the temporary staff that is associated just with the session. JFAC staff, IT staff, and Mike Nugent's Research & Legislation staff would be housed somewhere appropriately close in the Capitol Mall.

**Representative Jaquet** asked **Mr. Milstead** about moving the 393 FTP's, at \$2,000 per person, and wanted to know why we don't move some of those people permanently, like the AG's office. **Mr. Milstead** received those numbers from the Department of Administration and said that it has not yet been determined if anyone will be moving out of the Capitol permanently.

**Senator Bunderson** presented another option to the committee. A local developer who is a constituent in his district, **Gary Christensen**, is currently building the new Banner Bank building located in downtown Boise. **Mr. Christensen** looked at the numbers that were published in the newspaper for the Capitol restoration and the Courthouse renovation, and he felt that they were substantially higher than what he was experiencing with his building. He is building an energy saving office building that is expected to receive a Double Platinum certification under the Leadership in Energy and Environmental Design program as administered by the US Green Building Council. He feels that his company, with its own design team, pre-qualified contractor, and in a negotiated bid scenario, could build a new office building for the State on the corner of 8<sup>th</sup> and Jefferson for \$160/s.f., including design, engineering, and financing costs. **Mr. Christensen** stated that he could design and build such a Capitol Annex building in 18 months or less.

**Senator Geddes** remarked that he believes that the State does not own the entire block and so additional costs would have to be added to acquire the additional property. **Ms. Ahrens** concurred with that statement.

**Representative Denney** asked about the difference in quality between the projects that **Mr. Christensen** is proposing and the wings concept. **Senator Bunderson** replied that if you look at the letter that **Mr. Christensen** wrote that he stated that he would meet or exceed the quality standards of the Idaho Water Center building.

**Senator Bunderson** stated that he was concerned about the current options which include building the wings below ground level and possibly in groundwater so that is why he would like

the committee to consider his option. **Mr. Lemley** stated that with the new technology available that he was very confident that we would not have any water problems with the underground wings. Underground buildings are covered with a waterproof material that completely encapsulates the structure and prevents water leakage, almost like putting it in a plastic bag.

**Senator Geddes** asked if there had been any consideration or planning of an underground tunnel under 8<sup>th</sup> Street or any connection to the Capitol. **Senator Bunderson** stated that **Mr. Christensen's** proposal did not include an underground tunnel or any connection to the Capitol. **Co-chair Newcomb** stated that if they chose this proposal then the committee would still have to decide what to do with the Courthouse and **Mr. Christensen** said that was correct.

**Co-chair Newcomb** asked if anyone knew what the water table was exactly around the Capitol building. **Ms. Ahrens** said that the water table around the existing tunnel is around 14 feet.

**Representative Jaquet** asked **Mr. Lemley** if the cost per square foot included the cost of encapsulating the building. **Mr. Lemley** stated that the costs provided are on the high side and estimates and until they have all the design work done and contractor estimates that he cannot give the committee a hard price per square foot.

**Mr. Christensen** stated that as a taxpayer he was concerned about the cost of State buildings and the estimates for the Capitol renovation and the Courthouse remodel. He said that he toured the Idaho Water Center after it was built and was confident that he could have completed that job for far less than what was paid and done a better job. The Banner Bank building that he is currently constructing is more energy efficient and has more modular flexibility as far as office configuration goes than the Idaho Water Center and was built for less per square foot. He would like to see the State consider this option to build an energy efficient building that is at the Gold or possibly Platinum Level in energy efficiency.

**Senator Geddes** stated that he has been involved in the design and construction of landfills where a geotech style of liner is used with a layer of earthen material such as clay and he asked **Mr. Lemley** if that is similar to the type of construction that he would propose to help encapsulate the wings from water leakage. **Mr. Lemley** replied that he had been Chairman of American Ecology Company which owned and operated six hazardous waste/nuclear waste underground waste facilities and they used the same system in that operation.

**Co-chair Newcomb** stated that there are three previous options plus a fourth which was introduced today before the committee. He stated that he would like to get this resolved before session begins and that the committee may need another meeting next month. He asked the committee how they viewed the fourth option which was presented today by Senator Bunderson. He said that option does not address what is to be done with the Courthouse or the restoration of the Capitol.

**Senator Stegner** stated that the concept of building an additional office building does not satisfy the requirements he has of renovating the Capitol or addressing the Courthouse issue. He feels the expansion should be connected to the existing Capitol building and have two equal parts for both houses. He feels it should be of like construction to the existing Capitol and inside finish work. He does not feel that the new option fits these needs since it is a regular office building and he does not support this fourth option.

**Senator Davis** agrees with **Senator Stegner**. He is not interested in an office building, he would like to see something that is consistent with what the State Capitol portrays as far as a

historical look and feeling. He would like to see the renovations done to the Capitol while enhancing the functionality of the building which would include better public access and larger hearing rooms.

**Senator Geddes** supports what **Senators Stegner** and Davis would like to see. He feels that any expansion needs to be connected to the existing Capitol. He also would like the committee to consider building a one wing addition in the front of the Capitol rather than one on each side of the building. He feels that this committee needs more information on several things, and would like to have **Director Ahrens** engage in some geotechnical evaluation so we can see exactly what we are dealing with before we pursue any of the options. **Co-chair Newcomb** concurred with **Senator Geddes** and would like more detailed information before they decide on any action.

**Senator Davis** stated that perhaps we should ask the Capitol Commission to review our options and then make a recommendation to this committee on what they feel is the best option.

**Co-Chair Newcomb** replied that he would like to hear from the House members on what they think so that everything is out on the table and the committee can have a full board discussion.

**Representative Denney** stated that he sees two issues at hand. The first is the Capitol renovation, and the second is the expansion to accommodate our current and future needs as a legislature. He thinks that everyone agrees that we need to renovate the Capitol and would like to see us start on that as soon as possible since it is costing us a \$4 million a year in inflation. He would like to have all the options on the table because they will eventually have to have a majority of the House and Senate concur before anything can get started.

**Representative Jaquet** realizes the need for bigger and better meeting spaces, but right now her constituents are only concerned with renovating the Capitol building and fixing the Courthouse to use as a staging area only until the renovations are done. She would like to see the committee agree and make a recommendation to renovate the Capitol, renovate and use the Courthouse as a staging area, and then spend some additional time looking at the options for expansion.

**Representative Moyle** stated that when we first started it was his understanding that the ultimate goal was to renovate the Capitol and to figure out where we were going to go during that process. He fully supports that concept, but if we do other things such as building wings or an office building he wants to make sure it's done once, done right, and done the least expensive way. He fully supports the idea to get more information to make an informal decision.

**Senator Burkett** agrees that we are facing two issues, and would like to see a comprehensive plan in place dealing with the expansion options in increments.

**Senator Little** stated that before our next meeting he would like more details on the ability for us to use the Courthouse. Items of concern would be the condition of the roof, the phone lines, heating, ADA compliance, and internet connectivity. He wants to be sure that \$400,000 will take care of all that. He does agree with everyone about the need for bigger and better committee rooms and the need for increased connectivity.

**Senator Geddes** stated that if the footprint does not change, we cannot have a meeting room in the Capitol that will accommodate 150 people unless we decided to move some of the agencies that occupy space in the Capitol to another location. We can't say that the restoration of this

building is totally independent of any addition because if we do that then we are going to have what we currently have, small rooms that don't accommodate the needs of the legislature and the public. **Senator Geddes** was involved in designing with the architects when the renovation plan was created and they were not able to find the space to enlarge meeting rooms within the current footprint of the building. He stated that he feels that if we contemplate just restoring the Capitol without doing any additions we are going to regret that decision in the future.

**Representative Jaquet** felt that the original plan done by the Capitol Commission had met our needs and wondered why we feel that we need so much more space than was allocated in the original plan. The previous plan called for renovating the Capitol and then fixing and using the Courthouse as the staging area. She is not ready to agree to the wings expansion at this time and would like to revisit the previous plan.

**Carl Bianchi** stated that the original master plan done by the Capitol Commission did have two large hearing rooms and planned to take some of the hearing rooms on the fourth floor and expand them, but that plan also contemplated providing additional hearing rooms outside of the Capitol building because the building itself in the current footprint could not provide the need for hearing rooms for the Legislature. He wants the committee to understand that we cannot operate within the current building, without expansion, and improve and increase public access to the legislative process.

**Senator Davis** made a motion to task the Capitol Commission to revisit the existing Master Plan and the options presented here and then present this committee with a formal recommendation by the next meeting subject to the call of the chair. Motion was seconded by **Senator Burkett**. **Carl Bianchi** commented that it may not be possible for the Capitol Commission to review all the options and the original Master Plan in that short of a time period since they are not experts in that field and it might delay this project. Motion failed by a show of hands.

**Senator Davis** made a motion to task the Department of Administration and/or the Capitol Commission to gather geotechnical information and harder construction costs and give the recommendation at the next meeting on or before the start of the 2006 legislative session. This would include the costs to renovate the Ada County Courthouse as a staging area, and the hard costs of building a single or double level of garden wings or a single level wing in front of the Capitol. This would also include the costs of connectivity from the addition to the current building. This committee needs more information in order to make an informed decision that is going to be the best option for the State of Idaho.

Eric Milstead restated the motion as follows:

- ❖ Tasking the Department of Administration and/or the Capitol Commission to make a recommendation to the Capitol Restoration Task Force regarding the following items:
  1. A study of geotechnical issues, including investigation of seismic issues regarding underground for one level, for two levels, and for a Capitol Boulevard extension.
  2. Find out the exact level of the water table and investigate if we can truly seal off the wings from water leakage.
  3. Information on firmer figures regarding the cost per square foot for one level, for two levels, and for a Capitol Boulevard extension.
  4. Can the Courthouse really work and be modified to hold two sessions on a temporary basis and the confirmation of a firmer dollar figure as to the costs associated to making that renovation.

5. Exploring and pricing the connectivity issue as to all of the options in the totality of the Capitol Mall.

**Director Ahrens** made the comment that the \$400,000 that was affixed to the Courthouse as a staging area was only for the use of the building for the 3-4 months that the Legislature would be in session. That money would be used to turn the heat on and clean the building up so that it could be used as meeting space but it would not be used to renovate the building.

Motion was seconded by **Senator Geddes**. Motion passed unanimously by voice vote.

**Director Ahrens** will get the information requested as soon as possible and the next meeting will be held subject to the call of the chair.

**Senator Geddes made a motion to adjourn and it was seconded by Senator Little.**

Meeting was adjourned at 3:54 pm.